

# Congress of the United States

Washington, DC 20510

February 6, 2019

Starboard Strategic  
817 Slaters Lane  
Alexandria, Virginia 22314

To Whom It May Concern:

We write to request further information about the relationship between OnMessage, Inc. (“OnMessage”) and Starboard Strategic, Inc. (“Starboard”). Based on published reports, it appears that the National Rifle Association, and its affiliates, National Rifle Association Institute of Legislative Action and the National Rifle Association of America Political Victory Fund (collectively, the “NRA”), may have violated campaign finance law by coordinating independent expenditures with several political campaigns, through OnMessage and Starboard.

Candidates are prohibited from accepting contributions outside of the existing campaign finance limits during an election cycle. Any independent expenditure made in coordination with a candidate is considered to be an in-kind contribution to the candidate and is subject to applicable contribution limits.<sup>1</sup>

Significant circumstantial evidence suggests that OnMessage established Starboard as a shell corporation meant to disguise the fact that individuals working to direct campaign strategies and advertisements for Senate candidates were also coordinating “independent” expenditures by the NRA.

- OnMessage currently serves as the primary vendor for advertisements for many federal candidates and campaigns, including several Senate candidates and party committees.<sup>2</sup>
- In 2013, principals at OnMessage established Starboard. OnMessage and Starboard are located at the same addresses, 705 Melvin Avenue, #105, Annapolis, Maryland, and 817 Slaters Lane, Alexandria, Virginia.<sup>3</sup> Starboard and OnMessage share the same six directors: Curtis Anderson, Wesley Anderson, Bradley Todd, Graham Shafer, Timothy Teepell, and Orrin “Guy” Harrison.<sup>4</sup> Starboard and OnMessage also share the same incorporation agent, Craig Palik.<sup>5</sup>

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<sup>1</sup> See generally, 52 U.S.C. § 30116(a)(7)(B)(i); 52 U.S.C. § 30116(a)(1); and 52 U.S.C. § 30118(a).

<sup>2</sup> Expenditures, [OPENSECRETS.ORG](https://www.opensecrets.org),

<https://www.opensecrets.org/expends/vendor.php?year=2018&vendor=OnMessage+Inc>.

<sup>3</sup> Mike Spies, *The Mystery Firm that Became the NRA's Top Election Consultant*, POLITICO MAGAZINE, (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>

<sup>4</sup> See STARBOARD STRATEGIC, INC., 2018 ANNUAL REPORT (Feb. 24, 2018); ONMESSAGE, INC., 2018 ANNUAL REPORT (Feb. 27, 2018)

<sup>5</sup> Articles of Incorporation: Starboard Strategic, Inc., Commonwealth of Virginia State Corporation Commission (Mar. 22, 2013); OnMessage Holdings, Inc., Commonwealth of Virginia State Corporation Commission, <https://sccefile.scc.virginia.gov/Business/0770961>.

- According to press reports, the executives “toggled between roles” at both firms and, according to one OnMessage employee, “[b]eyond some Starboard-labeled thumb-drives lying around, I don’t recall anything within our office that was called or associated with Starboard.”<sup>6</sup>
- Before 2013, the NRA used OnMessage as a vendor to make independent expenditures. In 2012, for example, the NRA paid OnMessage over \$10 million.<sup>7</sup>
- According to press reports, in 2014, the NRA began contracting with Starboard for independent expenditures supporting candidates whose campaign committees were simultaneously paying OnMessage.<sup>8</sup> The NRA paid Starboard approximately \$20 million for independent expenditures in 2014 alone.<sup>9</sup>
- OnMessage, meanwhile, received over \$32 million in payments from Republican campaigns and political committees. According to a Federal Election Commission (FEC) complaint, OnMessage received nearly \$20 million in payments from three Senate campaigns.<sup>10</sup> The NRA, through Starboard, supported these same Republican candidates with millions in “independent” expenditures.<sup>11</sup>
- In the 2016 election cycle, the NRA paid Starboard approximately \$40 million for ads.<sup>12</sup> Some of these advertisements were spent in a support of a candidate who was a client of OnMessage.<sup>13</sup>
- Following the 2016 election, OnMessage repeatedly took credit for advertisements that the NRA paid for through Starboard.<sup>14</sup>
- In the 2018 midterms, the NRA spent more than \$830,000 in support of a Republican Senate candidate, hiring Starboard to place its ads. The candidate’s campaign also paid OnMessage more than \$1.2 million for its services.<sup>15</sup> The NRA also paid Starboard

<sup>6</sup> Mike Spies, *The Mystery Firm that Became the NRA’s Top Election Consultant*, POLITICO MAGAZINE, (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

<sup>7</sup> National Rifle Association of America Political Victory Fund, Independent Expenditures to OnMessage, Inc. (regularly scheduled reports), 2011-12, [https://www.fec.gov/data/independentexpenditures/?data\\_type=processed&committee\\_id=C00053553&cycle=2012&is\\_notice=false&payee\\_name=onmessage&min\\_date=01%2F01%2F2011&max\\_date=12%2F31%2F2012](https://www.fec.gov/data/independentexpenditures/?data_type=processed&committee_id=C00053553&cycle=2012&is_notice=false&payee_name=onmessage&min_date=01%2F01%2F2011&max_date=12%2F31%2F2012); National Rifle Association Institute for Legislative Action, Independent Expenditures to On Message, Inc. (regularly scheduled reports), 2011-12, [https://www.fec.gov/data/independentexpenditures/?data\\_type=processed&committee\\_id=C70000716&committee\\_id=C90013301&cycle=2012&is\\_notice=true&payee\\_name=message&min\\_date=01%2F01%2F2011&max\\_date=12%2F31%2F2012](https://www.fec.gov/data/independentexpenditures/?data_type=processed&committee_id=C70000716&committee_id=C90013301&cycle=2012&is_notice=true&payee_name=message&min_date=01%2F01%2F2011&max_date=12%2F31%2F2012).

<sup>8</sup> Mike Spies, *The Mystery Firm that Became the NRA’s Top Election Consultant*, POLITICO MAGAZINE, (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

<sup>9</sup> National Rifle Association of America Political Victory Fund, Independent Expenditures to Starboard Strategic, Inc. (regularly scheduled reports), 2013-14, [https://www.fec.gov/data/independentexpenditures/?data\\_type=processed&committee\\_id=C00053553&is\\_notice=false&payee\\_name=starboard&min\\_date=01%2F01%2F2013&max\\_date=12%2F31%2F2014](https://www.fec.gov/data/independentexpenditures/?data_type=processed&committee_id=C00053553&is_notice=false&payee_name=starboard&min_date=01%2F01%2F2013&max_date=12%2F31%2F2014).

<sup>10</sup> Campaign Legal Center, Complaint Against the National Rifle Association American Institute for Legislative Action and the National Rifle Association of America Political Victory Fund (Jul. 16, 2018).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> E.g., Brad Todd, OnMessage Wins Four Reed Awards, ONMESSAGE, INC. (Feb. 20, 2017), <https://onmessageinc.com/blog/02202017/> (last visited July 16, 2018); Guy Harrison, OnMessage Wins Five Pollie Awards for TV and Digital Work, ONMESSAGE, INC. (Mar. 20, 2017), <https://onmessageinc.com/blog/03202017/>.

<sup>15</sup> Mike Spies, *NRA Continues to Use Mystery Firm in Latest Round of Election Spending*, THE TRACE (Oct. 9, 2018), available at <https://www.thetrace.org/rounds/nra-continues-to-use-mystery-firm-in-election-spending/>.

nearly \$400,000 for an ad on behalf of another Senate Republican candidate, whose campaign also paid OnMessage directly for services.<sup>16</sup>

These facts suggest that OnMessage and Starboard employees shared inside information that allowed for coordination between NRA and political candidates. Because a payment for a coordinated communication is an in-kind contribution to a candidate,<sup>17</sup> the NRA may have violated contribution limits under the Federal Election Campaign Act by making coordinated communications in excess of applicable contribution caps through Starboard and OnMessage.<sup>18</sup>

As members of Congress, we have a strong interest in ensuring that elections are conducted fairly under our current campaign finance law. In light of these concerns, we request that you provide us with the following information no later than March 6, 2019.

- 1) Do OnMessage and Starboard have official policies to prevent illegal coordination and comply with FEC's common vendor guidelines? If so, please provide copies of specific policies and procedures, corporate bylaws, articles of incorporation, or other guidelines that establish the appropriate firewalls and compliance with common vendor regulations between OnMessage and its employees and Starboard and its employees.
- 2) Please provide any communications and emails between OnMessage or Starboard employees, as well as any communications with the NRA, discussing compliance with campaign finance law regarding the representation of the NRA and political candidates.
- 3) Are any OnMessage and/or Starboard employees also employed by Red Eagle, American Media & Advocacy Group (AMAG) and/or National Media Research? If so, provide their names, positions, and job descriptions.
- 4) Do OnMessage or Starboard, or their employees, have any contact with Red Eagle Media Group, AMAG, and National Media Research, Planning, and Placement (collectively the "National Media Group")? If so, please describe the nature of the relationship and the employees involved, and please provide any communications and emails between OnMessage and the National Media Group regarding the placement of advertisements for the NRA.
- 5) Please provide any notes from any meetings or phone calls held with NRA from the years 2015 and 2016.
- 6) Please provide any other relevant documents establishing the functional independence of Starboard and OnMessage.
- 7) Do OnMessage and Starboard have regular corporate board meetings? Do the boards of OnMessage or Starboard produce annual reports? If so, please provide the annual reports and minutes from corporate board meetings held by OnMessage and Starboard for the years 2015 and 2016.

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<sup>16</sup> Mike Spies, *Despite FEC Complaint, the NRA is Still Using a Mystery Firm to Back Senate Candidates*, THE TRACE (Sep. 10, 2018), available at <https://www.thetrace.org/2018/09/nra-starboard-strategic-campaign-finance-senate-races/>.

<sup>17</sup> 11 C.F.R. § 109.21(b).

<sup>18</sup> 52 U.S.C. § 30116(a)(1); see Complaint, *supra* note 10 at 24.

Given the significant oversight interest Congress has in the lawful administration of campaign finance laws, we also request that OnMessage, Starboard, and any other related entities retain all records relevant to this inquiry.

Sincerely,



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SHELDON WHITEHOUSE  
United States Senator



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JAMIE RASKIN  
Member of Congress

# Congress of the United States

Washington, DC 20510

February 6, 2019

Red Eagle Media Group  
815 Slaters Lane  
Alexandria, VA 22314

To Whom It May Concern:

We write to request further information about the relationship between Red Eagle Media Group (“Red Eagle”), American Media & Advocacy Group (“AMAG”), and National Media Research, Planning and Placement firm (“National Media.”). Based on published reports, we believe it appears that the National Rifle Association and its affiliates, the National Rifle Association of America Institute for Legislative Action and the National Rifle Association of America Political Victory Fund, (collectively, the “NRA”), may have violated campaign finance laws by coordinating independent expenditures with the Donald J. Trump for President campaign (the “Trump Campaign”), through Red Eagle, AMAG, and National Media.

Candidates are prohibited from accepting contributions outside of the existing campaign finance limits during an election cycle. Any independent expenditure made in coordination with a candidate is considered to be an in-kind contribution to the candidate and is subject to applicable contribution limits.<sup>1</sup>

During the 2016 presidential campaign, the NRA placed \$30 million in advertisements supporting the Trump Campaign or opposing Hillary Clinton.<sup>2</sup> *Mother Jones* and *The Trace* reported that during the 2016 elections, the NRA made “independent” expenditures supporting Trump through a complex network of media firms also employed by the Trump Campaign. The NRA used the firm Red Eagle to place television ads supporting the Trump Campaign, and the Trump Campaign paid \$74.2 million to AMAG for “placed media” in the 2016 cycle.<sup>3</sup> According to *The Trace* and *Mother Jones*, the Trump Campaign ads “were aimed at precisely the same demographic as the NRA spots, and often ran during the same shows.”<sup>4</sup>

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<sup>1</sup> See generally, 52 U.S.C. §30116(a)(7)(B)(i); 52 U.S.C. 30116(a)(1) and 52 U.S.C. § 30118(a).

<sup>2</sup> National Rifle Association Institute for Legislative Action, Spending, 2015-16, <https://www.fec.gov/data/committee/C90013301/?cycle=2016&tab=spending>; National Rifle Association Political Victory Fund, Spending, 2015-16, <https://www.fec.gov/data/committee/C00053553/?cycle=2016&tab=spending>.

<sup>3</sup> Donald J. Trump for President, Inc., Disbursements to American Media & Advocacy Group, 2015-16, FEC.GOV, [https://www.fec.gov/data/disbursements/?two\\_year\\_transaction\\_period=2016&data\\_type=processed&committee\\_id=C00580100&recipient\\_name=american+media&recipient\\_name=amag&min\\_date=01%2F01%2F2015&max\\_date=12%2F31%2F2016](https://www.fec.gov/data/disbursements/?two_year_transaction_period=2016&data_type=processed&committee_id=C00580100&recipient_name=american+media&recipient_name=amag&min_date=01%2F01%2F2015&max_date=12%2F31%2F2016).

<sup>4</sup> Mike Spies, *Documents Point to Illegal Campaign Coordination Between Trump and the NRA*, MOTHER JONES (Dec. 6, 2018), <https://www.motherjones.com/politics/2018/12/nra-trump-2016-campaign-coordination-political-advertising/>.

Significant circumstantial evidence suggests that Red Eagle, AMAG, and National Media are functionally identical entities, organized in a way to allow the NRA to coordinate “independent” expenditures with the Trump Campaign.

- According to Virginia incorporation records, Red Eagle is a “fictitious name” or “trade name” associated with National Media, located at 815 Salters Lane, Alexandria, Virginia.<sup>5</sup> National Media’s website describes itself as a “nationally recognized leader in media research, planning, and placement.”<sup>6</sup> It lists its address as 815 Slaters Lane, Alexandria, Virginia, 22314 and lists Joel Dahnke as its registered agent.<sup>7</sup> Likewise, AMAG shares the same address as Red Eagle and National Media and has the same registered agent as National Media.<sup>8</sup> In a 2016 *Daily Beast* article, an attorney for National Media and AMAG acknowledged that the organization is “affiliated” with National Media.<sup>9</sup>
- Red Eagle media placed advertisements supporting the Trump Campaign through its primary vendor Starboard Strategic. According to reporting by *Politico*, Starboard Strategic is functionally the same entity as OnMessage, another media firm which shares an address with National Media, Red Eagle, and AMAG.<sup>10</sup>
- According to a complaint filed by the Campaign Legal Center and various Federal Communications Commission filings, at least four National Media employees—Ben Angle, Kristie Kovatch, Jon Ferrell, and Caroline Kowalski—placed NRA ads for Red Eagle, and also placed ads for the Trump Campaign for AMAG.<sup>11</sup> Many of the advertisements were essentially identical advertisements, run in the same markets, on the same stations, and at the same times as each other.<sup>12</sup>
- A recent report alleges that National Media chief financial officer, Jon Ferrell, also authorized ad purchases for the NRA and various Republican senate campaigns.<sup>13</sup>

Given the lack of separation between the Red Eagle, AMAG, and National Media, and the fact that the very same employees authorized pro-Trump “independent” expenditures for the NRA and advertisements for the Trump Campaign, we are concerned that Red Eagle, AMAG, and

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<sup>5</sup> Business Entity Search, Commonwealth of Virginia, State Corporation Commission, [https://sccefile.scc.virginia.gov/Find/Business?SearchTerm=red+eagle+media&SearchPattern=K&as\\_fid=71a314ab0f8a83563c7a4633b7f34602942d6fb4](https://sccefile.scc.virginia.gov/Find/Business?SearchTerm=red+eagle+media&SearchPattern=K&as_fid=71a314ab0f8a83563c7a4633b7f34602942d6fb4).

<sup>6</sup> National Media, [www.natmedia.com](http://www.natmedia.com).

<sup>7</sup> *National Media Research Planning and Placement, LLC*, Commonwealth of Virginia State Corporation Commission, <https://sccefile.scc.virginia.gov/Business/S207052>.

<sup>8</sup> *American Media & Advocacy Group, LLC*, Commonwealth of Virginia State Corporation Commission, <https://sccefile.scc.virginia.gov/Business/S416256>.

<sup>9</sup> Betsy Woodruff, *Trump’s Already Part of the D.C. Swamp, Whether He Knows It or Not*, DAILY BEAST (Oct. 26, 2016), <https://www.thedailybeast.com/trumps-already-part-of-the-dc-swamp-whether-he-knows-it-or-not?ref=scroll>.

<sup>10</sup> See Mike Spies, *The Mystery Firm That Became the NRA’s Top Election Consultant*, POLITICO (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

<sup>11</sup> Campaign Legal Center, Complaint Against the National Rifle Association American Institute for Legislative Act and the National Rifle Association of America Political Victory Fund (Dec. 7, 2018).

<sup>12</sup> *Id.*

<sup>13</sup> Christopher Hooks and Mike Spies, *Documents Show NRA and Republican Candidates Coordinated Ads in Key Senate Races*, MOTHER JONES (Jan. 11, 2018), <https://www.motherjones.com/politics/2019/01/nra-republicans-campaign-ads-senate-josh-hawley/>.

National Media lacked the proper firewalls to prevent illegal coordination between an independent expenditure group and a campaign.

Because a payment for a coordinated communication is an in-kind contribution to a candidate,<sup>14</sup> the NRA may have violated contribution limits under the Federal Election Campaign Act by making coordinated communications in excess of applicable contribution caps through Red Eagle, AMAG, and National Media.<sup>15</sup>

As members of Congress, we have a strong interest in ensuring that elections are conducted fairly under current campaign finance law. In light of these concerns, we request the following information no later than March 6, 2019.

- 1) Do Red Eagle, AMAG, and National Media have official policies to prevent illegal coordination and comply with FEC's common vendor guidelines, including 11 C.F.R. §109.21? If so, please provide the specific policies and procedures, corporate bylaws, articles of incorporation, or other guidelines that establish the appropriate firewalls and compliance with common vendor regulations between Red Eagle, AMAG, and National Media employees.
- 2) Please provide any internal communications and emails between Red Eagle, AMAG, and National Media, as well as any communications and emails with the NRA, discussing compliance with campaign finance law regarding the representation of the NRA and political candidates.
- 3) Please provide any communications and emails between Red Eagle, AMAG, or National Media and the Trump Campaign discussing the NRA.
- 4) Please provide any notes from any meetings or phone calls held with Trump Campaign from the years 2015 and 2016.
- 5) Please provide any communications and emails between Red Eagle, AMAG, or National Media and the NRA discussing the Trump Campaign.
- 6) Please provide any notes from any meetings or phone calls held with NRA and the NRA-ILA from the years 2015 and 2016.
- 7) Do Red Eagle, AMAG, or National Media have any ownership interest in Starboard and/or OnMessage? Please describe such ownership interest.
- 8) Do any Red Eagle, AMAG, or National Media employees also work for Starboard and/or OnMessage, or vice versa? Please provide their names, positions and description of their responsibilities at each entity.
- 9) Do Red Eagle, AMAG, or National Media or its employees have any contact with Starboard Strategic or OnMessage? If so, please describe the nature of the relationship and the employees involved, and please provide any communications and emails between these entities regarding the placement of advertisements for the Trump Campaign and the NRA.
- 10) Do Red Eagle, AMAG, and National Media have regular corporate board meetings? Are any such corporate board meetings held separately and independently of each other? Do the boards of Red Eagle, AMAG, or National Media produce an annual report? If so,

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<sup>14</sup>11 C.F.R. § 109.21(b).

<sup>15</sup>52 U.S.C. § 30116(a)(1).

please provide the annual reports and minutes from corporate board meetings held by Red Eagle, AMAG, and National Media for the years 2015 and 2016.

- a) Please provide any other relevant documents establishing the functional independence of Red Eagle, AMAG, and National Media from each other.

Given the significant oversight interest Congress has in the lawful administration of our campaign finance laws, we also request that Red Eagle, AMAG, and National Media and any other related entities retain all records relevant to this inquiry.

Sincerely,

  
SHELDON WHITEHOUSE  
United States Senator

  
JAMIE RASKIN  
Member of Congress

# Congress of the United States

Washington, DC 20510

February 6, 2019

Curt Anderson, Wes Anderson, & Brad Todd  
Founding Partners  
OnMessage, Inc.  
817 Slaters Lane  
Alexandria, Virginia 22314

Dear Messrs. Anderson, Anderson, and Todd:

We write to request further information about the relationship between OnMessage, Inc. (“OnMessage”) and Starboard Strategic, Inc. (“Starboard”). Based on published reports, it appears that the National Rifle Association, and its affiliates, National Rifle Association Institute of Legislative Action and the National Rifle Association of America Political Victory Fund (collectively, the “NRA”), may have violated campaign finance law by coordinating independent expenditures with several political campaigns, through OnMessage and Starboard.

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Significant circumstantial evidence suggests that OnMessage established Starboard as a shell corporation meant to disguise the fact that individuals working to direct campaign strategies and advertisements for Senate candidates were also coordinating “independent” expenditures by the NRA.

- OnMessage currently serves as the primary vendor for advertisements for many federal candidates and campaigns, including several Senate candidates and party committees.<sup>2</sup>
- In 2013, principals at OnMessage established Starboard. OnMessage and Starboard are located at the same addresses, 705 Melvin Avenue, #105, Annapolis, Maryland, and 817 Slaters Lane, Alexandria, Virginia.<sup>3</sup> Starboard and OnMessage share the same six directors: Curtis Anderson, Wesley Anderson, Bradley Todd, Graham Shafer, Timothy Teepell, and Orrin “Guy” Harrison.<sup>4</sup> Starboard and OnMessage also share the same incorporation agent, Craig Palik.<sup>5</sup>

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<sup>3</sup> Mike Spies, *The Mystery Firm that Became the NRA's Top Election Consultant*, POLITICO MAGAZINE, (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>

<sup>4</sup> See STARBOARD STRATEGIC, INC., 2018 ANNUAL REPORT (Feb. 24, 2018); ONMESSAGE, INC., 2018 ANNUAL REPORT (Feb. 27, 2018)

<sup>5</sup> Articles of Incorporation: Starboard Strategic, Inc., Commonwealth of Virginia State Corporation

- According to press reports, the executives “toggled between roles” at both firms and, according to one OnMessage employee, “[b]eyond some Starboard-labeled thumb-drives lying around, I don’t recall anything within our office that was called or associated with Starboard.”<sup>6</sup>
- Before 2013, the NRA used OnMessage as a vendor to make independent expenditures. In 2012, for example, the NRA paid OnMessage over \$10 million.<sup>7</sup>
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- OnMessage, meanwhile, received over \$32 million in payments from Republican campaigns and political committees. According to a Federal Election Commission (FEC) complaint, OnMessage received nearly \$20 million in payments from three Senate campaigns.<sup>10</sup> The NRA, through Starboard, supported these same Republican candidates with millions in “independent” expenditures.<sup>11</sup>
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<sup>10</sup> Campaign Legal Center, Complaint Against the National Rifle Association American Institute for Legislative Action and the National Rifle Association of America Political Victory Fund (Jul. 16, 2018).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

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OnMessage more than \$1.2 million for its services.<sup>15</sup> The NRA also paid Starboard nearly \$400,000 for an ad on behalf of another Senate Republican candidate, whose campaign also paid OnMessage directly for services.<sup>16</sup>

These facts suggest that OnMessage and Starboard employees shared inside information that allowed for coordination between NRA and political candidates. Because a payment for a coordinated communication is an in-kind contribution to a candidate,<sup>17</sup> the NRA may have violated contribution limits under the Federal Election Campaign Act by making coordinated communications in excess of applicable contribution caps through Starboard and OnMessage.<sup>18</sup>

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- 4) Do OnMessage or Starboard, or their employees, have any contact with Red Eagle Media Group, AMAG, and National Media Research, Planning, and Placement (collectively the "National Media Group")? If so, please describe the nature of the relationship and the employees involved, and please provide any communications and emails between OnMessage and the National Media Group regarding the placement of advertisements for the NRA.
- 5) Please provide any notes from any meetings or phone calls held with NRA from the years 2015 and 2016.
- 6) Please provide any other relevant documents establishing the functional independence of Starboard and OnMessage.
- 7) Do OnMessage and Starboard have regular corporate board meetings? Do the boards of OnMessage or Starboard produce annual reports? If so, please provide the annual reports and minutes from corporate board meetings held by OnMessage and Starboard for the years 2015 and 2016.

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<sup>15</sup> Mike Spies, *NRA Continues to Use Mystery Firm in Latest Round of Election Spending*, THE TRACE (Oct. 9, 2018), available at <https://www.thetrace.org/rounds/nra-continues-to-use-mystery-firm-in-election-spending/>.

<sup>16</sup> Mike Spies, *Despite FEC Complaint, the NRA is Still Using a Mystery Firm to Back Senate Candidates*, THE TRACE (Sep. 10, 2018), available at <https://www.thetrace.org/2018/09/nra-starboard-strategic-campaign-finance-senate-races/>.

<sup>17</sup> 11 C.F.R. § 109.21(b).

<sup>18</sup> 52 U.S.C. § 30116(a)(1); see Complaint, *supra* note 10 at 24.

Given the significant oversight interest Congress has in the lawful administration of campaign finance laws, we also request that OnMessage, Starboard, and any other related entities retain all records relevant to this inquiry.

Sincerely,



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SHELDON WHITEHOUSE  
United States Senator



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JAMIE RASKIN  
Member of Congress

# Congress of the United States

Washington, DC 20510

February 6, 2019

Mr. Wayne LaPierre  
President  
National Rifle Association of America  
11250 Waples Mill Road  
Fairfax, VA 22030

Dear Mr. LaPierre:

We write regarding numerous reports that the National Rifle Association and its affiliates, the National Rifle Association Institute for Legislative Action and the National Rifle Association of America Political Victory Fund (collectively, the “NRA”), made illegal, excessive, and unreported in-kind contributions to Donald J. Trump for President (the “Trump Campaign”) and various Republican congressional candidates in the form of coordinated communications. The NRA is currently named in four pending complaints to the Federal Election Commission regarding these alleged violations.

During the 2016 election, the NRA spent over \$50 million on “independent” expenditures supporting Donald Trump’s campaign and Republican congressional candidates. In the 2014 cycle, the NRA spent over \$25 million supporting Republican congressional candidates. Most of this money was spent to purchase television advertisements supporting Republican candidates or opposing Democratic candidates. According to reports in *Politico*, *Mother Jones*, and *The Trace*, the NRA made most of these purchases through a complex web of shell companies and fictitious organizations, in a manner that concealed that the media firms the NRA employed were also employed by the Trump Campaign and other Republican political campaigns. Campaign finance law prohibits candidates from accepting contributions outside of the existing campaign finance limits during an election cycle. Moreover, any expenditure made in coordination with a candidate is considered to be an in-kind contribution to the candidate under 52 U.S.C. § 30116(a)(7)(B)(i) and 11 C.F.R. § 19.21. As detailed below, the relationship between the firms the NRA employed and the firms the Trump Campaign and other Republican candidates used suggests illegal coordination.

In 2016, the NRA placed political advertisements through a number of media consulting firms also employed by the Trump Campaign. The NRA placed advertisements supporting candidate Donald Trump through the firm Red Eagle Media Group (“Red Eagle”), and the Trump Campaign employed American Media & Advocacy Group (“AMAG”) for a similar purpose. Both Red Eagle and AMAG are functionally the same organization as the National Media Research, Planning and Placement firm (“National Media.”). Red Eagle, AMAG, and National Media all share a common office and common employees. In a 2016 *Daily Beast* article, an

attorney for National Media and AMAG “confirmed” that the two firms are “affiliated.”<sup>1</sup> *The Trace* identified at least four current National Media employees who were named as representatives of both the Trump Campaign and the NRA on Federal Communications Commission filings, which show that Red Eagle and AMAG often bought ads on the same stations around the same times for the NRA and the Trump Campaign, respectively. All of this strongly suggests illegal coordination between the NRA and the Trump Campaign. Additionally, according to recent reports, the National Media chief financial officer, Jon Ferrell, also authorized ad purchases for the NRA and various Republican senate campaigns.

Based on reporting by *Politico*, the NRA used a similar scheme for ad purchases in the 2014 election. OnMessage, Inc. (“OnMessage”) currently serves as the primary vendor for advertisements for many federal candidates and campaigns, including many Senate candidates and party committees. In 2013, principals at OnMessage established Starboard Strategic, Inc. (“Starboard”) expressly for the purpose of advertising for the NRA, Starboard’s only client. Tens of millions in NRA advertising expenditures that once went to OnMessage were subsequently redirected exclusively to Starboard.<sup>2</sup> Despite the appearance that the NRA hired a new advertising firm, there is little distinction between the two entities. As with Red Eagle, AMAG, and National Media, OnMessage and Starboard share addresses in Annapolis, Maryland, and Alexandria, Virginia, and the firm is composed of the same staff and founders. It appears that Starboard is merely a shell company meant to disguise that the individuals working to direct campaign strategies and advertisements for Senate candidates were employees of OnMessage. The NRA appears to have continued making “independent” expenditures on behalf of various Senate campaigns who also enlisted the services of OnMessage in the 2016 and 2018 elections.

As members of Congress, we have a strong interest in ensuring that elections are conducted fairly under current campaign finance law. To help us understand the NRA’s role in this seemingly illegal scheme, please provide responses to the following questions no later than March 6, 2019.

- 1) Please provide any NRA written guidance, policies or procedures, articles of incorporation or bylaws, and communications and emails regarding the NRA’s compliance with federal and state campaign finance law.
- 2) Please provide documents, communications and emails regarding any steps required by the NRA or otherwise taken by the NRA’s vendors to ensure compliance with federal campaign finance laws, including coordination and firewall regulations and guidelines.
- 3) Please provide any communications and emails with Red Eagle, National Media, and AMAG between June 2015 and December 2016 regarding compliance with federal and state campaign finance laws.

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<sup>1</sup> Betsy Woodruff, *Trump’s Already Part of the D.C. Swamp, Whether He Knows It or Not*, DAILY BEAST (Oct. 26, 2016), <https://www.thedailybeast.com/trumps-already-part-of-the-dc-swamp-whether-he-knows-it-or-not?ref=scroll>.

<sup>2</sup> Mike Spies, *The Mystery Firm that Became the NRA’s Top Election Consultant*, POLITICO MAGAZINE, (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

- 4) Please provide any documents, records, memorandum, and communication and emails related to the NRA's selection of Red Eagle as a vendor.
- 5) Please provide any communications or emails between the NRA or its employees and Red Eagle, National Media, and AMAG between June 2015 and December 2016 regarding Trump Campaign advertising.
- 6) Please provide any communications and emails between the NRA and Starboard and/or OnMessage between June 2015 and December 2016 regarding compliance with federal and state campaign finance laws.
- 7) Please provide any documents, records, memorandum, and communication and emails related to the NRA's selection of Starboard as a vendor.
- 8) Please name all of the OnMessage, Starboard, Red Eagle, National Media, and AMAG employees with whom the NRA or its employees communicated between June 2015 and December 2016.

In addition, we request that the NRA, and any other related entities, retain all records relevant to this inquiry.

Sincerely,



SHELDON WHITEHOUSE  
United States Senator



JAMIE RASKIN  
Member of Congress

# Congress of the United States

Washington, DC 20510

February 6, 2019

Mr. Robin Roberts  
President  
National Media, Research, Planning & Placement  
817 Salters Lane  
Alexandria, VA 22314

Dear Mr. Roberts:

We write to request further information about the relationship between Red Eagle Media Group (“Red Eagle”), American Media & Advocacy Group (“AMAG”), and National Media Research, Planning and Placement firm (“National Media.”). Based on published reports, we believe it appears that the National Rifle Association and its affiliates, the National Rifle Association of America Institute for Legislative Action and the National Rifle Association of America Political Victory Fund, (collectively, the “NRA”), may have violated campaign finance laws by coordinating independent expenditures with the Donald J. Trump for President campaign (the “Trump Campaign”), through Red Eagle, AMAG, and National Media.

Candidates are prohibited from accepting contributions outside of the existing campaign finance limits during an election cycle. Any independent expenditure made in coordination with a candidate is considered to be an in-kind contribution to the candidate and is subject to applicable contribution limits.<sup>1</sup>

During the 2016 presidential campaign, the NRA placed \$30 million in advertisements supporting the Trump Campaign or opposing Hillary Clinton.<sup>2</sup> *Mother Jones* and *The Trace* reported that during the 2016 elections, the NRA made “independent” expenditures supporting Trump through a complex network of media firms also employed by the Trump Campaign. The NRA used the firm Red Eagle to place television ads supporting the Trump Campaign, and the Trump Campaign paid \$74.2 million to AMAG for “placed media” in the 2016 cycle.<sup>3</sup> According to *The Trace* and *Mother Jones*, the Trump Campaign ads “were aimed at precisely the same demographic as the NRA spots, and often ran during the same shows.”<sup>4</sup>

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<sup>1</sup> See generally, 52 U.S.C. §30116(a)(7)(B)(i); 52 U.S.C. 30116(a)(1) and 52 U.S.C. § 30118(a).

<sup>2</sup> National Rifle Association Institute for Legislative Action, Spending, 2015-16, <https://www.fec.gov/data/committee/C90013301/?cycle=2016&tab=spending>; National Rifle Association Political Victory Fund, Spending, 2015-16, <https://www.fec.gov/data/committee/C00053553/?cycle=2016&tab=spending>.

<sup>3</sup> Donald J. Trump for President, Inc., Disbursements to American Media & Advocacy Group, 2015-16, FEC.GOV, [https://www.fec.gov/data/disbursements/?two\\_year\\_transaction\\_period=2016&data\\_type=processed&committee\\_id=C00580100&recipient\\_name=american+media&recipient\\_name=amag&min\\_date=01%2F01%2F2015&max\\_date=12%2F31%2F2016](https://www.fec.gov/data/disbursements/?two_year_transaction_period=2016&data_type=processed&committee_id=C00580100&recipient_name=american+media&recipient_name=amag&min_date=01%2F01%2F2015&max_date=12%2F31%2F2016).

<sup>4</sup> Mike Spies, *Documents Point to Illegal Campaign Coordination Between Trump and the NRA*, MOTHER JONES (Dec. 6, 2018), <https://www.motherjones.com/politics/2018/12/nra-trump-2016-campaign-coordination-political-advertising/>.

Significant circumstantial evidence suggests that Red Eagle, AMAG, and National Media are functionally identical entities, organized in a way to allow the NRA to coordinate “independent” expenditures with the Trump Campaign.

- According to Virginia incorporation records, Red Eagle is a “fictitious name” or “trade name” associated with National Media, located at 815 Salters Lane, Alexandria, Virginia.<sup>5</sup> National Media’s website describes itself as a “nationally recognized leader in media research, planning, and placement.”<sup>6</sup> It lists its address as 815 Salters Lane, Alexandria, Virginia, 22314 and lists Joel Dahinke as its registered agent.<sup>7</sup> Likewise, AMAG shares the same address as Red Eagle and National Media and has the same registered agent as National Media.<sup>8</sup> In a 2016 *Daily Beast* article, an attorney for National Media and AMAG acknowledged that the organization is “affiliated” with National Media.<sup>9</sup>
- Red Eagle media placed advertisements supporting the Trump Campaign through its primary vendor Starboard Strategic. According to reporting by *Politico*, Starboard Strategic is functionally the same entity as OnMessage, another media firm which shares an address with National Media, Red Eagle, and AMAG.<sup>10</sup>
- According to a complaint filed by the Campaign Legal Center and various Federal Communications Commission filings, at least four National Media employees—Ben Angle, Kristie Kovatch, Jon Ferrell, and Caroline Kowalski—placed NRA ads for Red Eagle, and also placed ads for the Trump Campaign for AMAG.<sup>11</sup> Many of the advertisements were essentially identical advertisements, run in the same markets, on the same stations, and at the same times as each other.<sup>12</sup>
- A recent report alleges that National Media chief financial officer, Jon Ferrell, also authorized ad purchases for the NRA and various Republican senate campaigns.<sup>13</sup>

Given the lack of separation between the Red Eagle, AMAG, and National Media, and the fact that the very same employees authorized pro-Trump “independent” expenditures for the NRA and advertisements for the Trump Campaign, we are concerned that Red Eagle, AMAG, and

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<sup>5</sup> Business Entity Search, Commonwealth of Virginia, State Corporation Commission, [https://sccfile.scc.virginia.gov/Find/Business?SearchTerm=red+eagle+media&SearchPattern=K&as\\_fid=71a314ab0f8a83563c7a4633b7f34602942d6fb4](https://sccfile.scc.virginia.gov/Find/Business?SearchTerm=red+eagle+media&SearchPattern=K&as_fid=71a314ab0f8a83563c7a4633b7f34602942d6fb4).

<sup>6</sup> National Media, [www.natmedia.com](http://www.natmedia.com).

<sup>7</sup> *National Media Research Planning and Placement, LLC*, Commonwealth of Virginia State Corporation Commission, <https://sccfile.scc.virginia.gov/Business/S207052>.

<sup>8</sup> *American Media & Advocacy Group, LLC*, Commonwealth of Virginia State Corporation Commission, <https://sccfile.scc.virginia.gov/Business/S416256>.

<sup>9</sup> Betsy Woodruff, *Trump’s Already Part of the D.C. Swamp, Whether He Knows It or Not*, DAILY BEAST (Oct. 26, 2016), <https://www.thedailybeast.com/trumps-already-part-of-the-dc-swamp-whether-he-knows-it-or-not?ref=scroll>.

<sup>10</sup> See Mike Spies, *The Mystery Firm That Became the NRA’s Top Election Consultant*, POLITICO (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

<sup>11</sup> Campaign Legal Center, Complaint Against the National Rifle Association American Institute for Legislative Act and the National Rifle Association of America Political Victory Fund (Dec. 7, 2018).

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<sup>13</sup> Christopher Hooks and Mike Spies, *Documents Show NRA and Republican Candidates Coordinated Ads in Key Senate Races*, MOTHER JONES (Jan. 11, 2018), <https://www.motherjones.com/politics/2019/01/nra-republicans-campaign-ads-senate-josh-hawley/>.

National Media lacked the proper firewalls to prevent illegal coordination between an independent expenditure group and a campaign.

Because a payment for a coordinated communication is an in-kind contribution to a candidate,<sup>14</sup> the NRA may have violated contribution limits under the Federal Election Campaign Act by making coordinated communications in excess of applicable contribution caps through Red Eagle, AMAG, and National Media.<sup>15</sup>

As members of Congress, we have a strong interest in ensuring that elections are conducted fairly under current campaign finance law. In light of these concerns, we request the following information no later than March 6, 2019.

- 1) Do Red Eagle, AMAG, and National Media have official policies to prevent illegal coordination and comply with FEC's common vendor guidelines, including 11 C.F.R. §109.21? If so, please provide the specific policies and procedures, corporate bylaws, articles of incorporation, or other guidelines that establish the appropriate firewalls and compliance with common vendor regulations between Red Eagle, AMAG, and National Media employees.
- 2) Please provide any internal communications and emails between Red Eagle, AMAG, and National Media, as well as any communications and emails with the NRA, discussing compliance with campaign finance law regarding the representation of the NRA and political candidates.
- 3) Please provide any communications and emails between Red Eagle, AMAG, or National Media and the Trump Campaign discussing the NRA.
- 4) Please provide any notes from any meetings or phone calls held with Trump Campaign from the years 2015 and 2016.
- 5) Please provide any communications and emails between Red Eagle, AMAG, or National Media and the NRA discussing the Trump Campaign.
- 6) Please provide any notes from any meetings or phone calls held with NRA and the NRA-ILA from the years 2015 and 2016.
- 7) Do Red Eagle, AMAG, or National Media have any ownership interest in Starboard and/or OnMessage? Please describe such ownership interest.
- 8) Do any Red Eagle, AMAG, or National Media employees also work for Starboard and/or OnMessage, or vice versa? Please provide their names, positions and description of their responsibilities at each entity.
- 9) Do Red Eagle, AMAG, or National Media or its employees have any contact with Starboard Strategic or OnMessage? If so, please describe the nature of the relationship and the employees involved, and please provide any communications and emails between these entities regarding the placement of advertisements for the Trump Campaign and the NRA.
- 10) Do Red Eagle, AMAG, and National Media have regular corporate board meetings? Are any such corporate board meetings held separately and independently of each other? Do the boards of Red Eagle, AMAG, or National Media produce an annual report? If so,

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<sup>14</sup>11 C.F.R. § 109.21(b).

<sup>15</sup>52 U.S.C. § 30116(a)(1).

please provide the annual reports and minutes from corporate board meetings held by Red Eagle, AMAG, and National Media for the years 2015 and 2016.

- a) Please provide any other relevant documents establishing the functional independence of Red Eagle, AMAG, and National Media from each other.

Given the significant oversight interest Congress has in the lawful administration of our campaign finance laws, we also request that Red Eagle, AMAG, and National Media and any other related entities retain all records relevant to this inquiry.



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SHELDON WHITEHOUSE  
United States Senator

Sincerely,



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AMIE RASKIN  
Member of Congress

# Congress of the United States

Washington, DC 20510

February 6, 2019

American Media & Advocacy Group LLC  
815 Slaters Lane  
Alexandria, VA 22314

To Whom It May Concern:

We write to request further information about the relationship between Red Eagle Media Group (“Red Eagle”), American Media & Advocacy Group (“AMAG”), and National Media Research, Planning and Placement firm (“National Media.”). Based on published reports, we believe it appears that the National Rifle Association and its affiliates, the National Rifle Association of America Institute for Legislative Action and the National Rifle Association of America Political Victory Fund, (collectively, the “NRA”), may have violated campaign finance laws by coordinating independent expenditures with the Donald J. Trump for President campaign (the “Trump Campaign”), through Red Eagle, AMAG, and National Media.

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<sup>3</sup> Donald J. Trump for President, Inc., Disbursements to American Media & Advocacy Group, 2015-16, FEC.GOV, [https://www.fec.gov/data/disbursements/?two\\_year\\_transaction\\_period=2016&data\\_type=processed&committee\\_id=C00580100&recipient\\_name=american+media&recipient\\_name=amag&min\\_date=01%2F01%2F2015&max\\_date=12%2F31%2F2016](https://www.fec.gov/data/disbursements/?two_year_transaction_period=2016&data_type=processed&committee_id=C00580100&recipient_name=american+media&recipient_name=amag&min_date=01%2F01%2F2015&max_date=12%2F31%2F2016).

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- A recent report alleges that National Media chief financial officer, Jon Ferrell, also authorized ad purchases for the NRA and various Republican senate campaigns.<sup>13</sup>

Given the lack of separation between the Red Eagle, AMAG, and National Media, and the fact that the very same employees authorized pro-Trump “independent” expenditures for the NRA and advertisements for the Trump Campaign, we are concerned that Red Eagle, AMAG, and

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<sup>6</sup> National Media, [www.natmedia.com](http://www.natmedia.com).

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<sup>10</sup> See Mike Spies, *The Mystery Firm That Became the NRA’s Top Election Consultant*, POLITICO (July 13, 2018), <https://www.politico.com/magazine/story/2018/07/13/mystery-firm-nra-consultant-219004>.

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Because a payment for a coordinated communication is an in-kind contribution to a candidate,<sup>14</sup> the NRA may have violated contribution limits under the Federal Election Campaign Act by making coordinated communications in excess of applicable contribution caps through Red Eagle, AMAG, and National Media.<sup>15</sup>

As members of Congress, we have a strong interest in ensuring that elections are conducted fairly under current campaign finance law. In light of these concerns, we request the following information no later than March 6, 2019.

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- 10) Do Red Eagle, AMAG, and National Media have regular corporate board meetings? Are any such corporate board meetings held separately and independently of each other? Do the boards of Red Eagle, AMAG, or National Media produce an annual report? If so,

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<sup>15</sup>52 U.S.C. § 30116(a)(1).

please provide the annual reports and minutes from corporate board meetings held by Red Eagle, AMAG, and National Media for the years 2015 and 2016.

- a) Please provide any other relevant documents establishing the functional independence of Red Eagle, AMAG, and National Media from each other.

Given the significant oversight interest Congress has in the lawful administration of our campaign finance laws, we also request that Red Eagle, AMAG, and National Media and any other related entities retain all records relevant to this inquiry.

  
SHELDON WHITEHOUSE  
United States Senator

Sincerely,

  
JAMIE RASKIN  
Member of Congress